

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:40 a.m. on February 12, 2003, in Room 123-S of the Capitol.

All members were present except: All present

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department  
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department  
Martha Dorsey, Kansas Legislative Research Department  
Melissa Calderwood, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Debra Hollon, Kansas Legislative Research Department  
Michael Corrigan, Assistant Revisor of Statutes  
Judy Bromich, Administrative Assistant  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Chad Luce, Public Information Officer, Kansas Department of Wildlife and Parks

Others attending: See attached list

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2003 and FY 2004 were distributed to the committee.

Subcommittee reports on:

**State Hospitals** (Attachment 1)

Subcommittee Chairman Morris reported that the Subcommittee concurs with the recommendation of the Governor with notations and observations for FY 2003.

Subcommittee Chairman Morris reported that the Subcommittee concurs with the recommendation of the Governor with notations and observations for FY 2004.

**Mental Health Institutions** (Attachment 2)

Subcommittee Chairman Morris reported that the Subcommittee concurs with the recommendation of the Governor with notations and observations for FY 2003.

Subcommittee Chairman Morris reported that the Subcommittee concurs with the recommendation of the Governor with notations and observations for FY 2004.

**Developmental Disability Institutions** (Attachment 3)

Subcommittee Chairman Morris reported that the Subcommittee concurs with the recommendation of the Governor with notations and observations for FY 2003.

Subcommittee Chairman Morris reported that the Subcommittee concurs with the recommendation of the Governor with notations and observations for FY 2004.

Senator Feleciano moved, with a second by Senator Schodorf, to adopt the subcommittee budget report on the State Hospitals, Mental Health Institutions and Developmental Disability Institutions for the FY 2003 and FY 2004 budget. Motion carried on a voice vote.

CONTINUATION SHEET

**Bill Introduction**

Senator Jackson moved, with a second by Senator Schodorf, to introduce a bill authorizing operation of slot machines and other casino games at certain locations. Motion carried on a voice vote.

Chairman Morris called the committee's attention to discussion of:

**SB 45--Application fee imposed on defendant entitled to indigent defense services**

The Chairman welcomed Pat Scalia, Executive Director, State Board of Indigents' Defense Services, who explained a balloon amendment to **SB 45** (Attachment 4). Senator Schodorf moved, with a second by Senator Jackson, the balloon amendment to SB 45. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Jackson, to recommend SB 45 favorable for passage as amended. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

**SB 43--Wildlife and Parks: Service fees**

Staff briefed the committee on the bill.

Chad Luce, Public Information Officer, Kansas Department of Wildlife and Parks, spoke in favor of **SB 43** (Attachment 5). Mr. Luce explained that the bill would increase the service charge fee that vendors, including county clerks, and the department receive for selling licenses, permits and stamps from \$0.50 cents to \$1.00 and from \$0.25 cents to \$0.50 on the sale of migratory waterfowl stamps. He noted that the \$0.50 cent fee has been in place since 1989. Mr. Luce noted that the bill is one of the department's initiatives and is also supported by the Kansas County Clerks and Election Officials Association and a copy of a letter from them was attached to his testimony.

There being no further conferees to come before the committee, the Chairman closed the public hearing on **SB 43**. Committee discussion followed regarding clarification of the fiscal note. Chairman Morris requested a breakdown of what dollars the counties have received in both the calendar year and FY 2004 at some point.

The meeting adjourned at 11:20 a.m. The next meeting is scheduled for February 13, 2003.

**SENATE WAYS AND MEANS COMMITTEE  
GUEST LIST**

DATE February 12, 2003

NAME	REPRESENTING
Julie Thomas	JOB
Jim Liu	JOB
Chris Tymeson	KDWP
Chad Lee	KDWP
Pat Scalia	BIDS
Norma Stephens	City of Olathe
Kathryn Fisher	Leadership SRS
Mary Bradley	Leadership SRS
Janet Cussimani	Ks Children's Cabinet
Mike Hammond	Assoc. of CMHCs of KS
Lupkin	Horn Law Firm
Jennifer Crow	Governor's office

# FY 2003 and FY 2004

## Senate Subcommittee Reports

Developmental Disability Institutions  
Mental Health Institutions  
State Hospitals



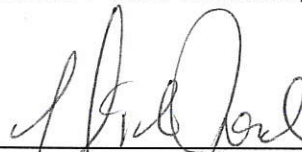
Senator Stephen Morris, Chairperson



Senator David Adkins



Senator Paul Feleciano, Jr.



Senator Nick Jordan



Senator Jean Schodorf

Senate Ways and Means  
2-12-03  
Attachment 1

## Senate Subcommittee Report

**Agency:** State Hospitals

**Bill No.** SB 62

**Bill Sec.** 21

**Analyst:** Calderwood

**Analysis Pg. No.** 635, 657, 680, 708, 730 **Budget Page No.** 285, 309, 327, 331, 337

Expenditure Summary	Agency Est. FY 03	Governor's Recommendation FY 03	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 107,213,570	\$ 103,194,975	\$ 0
Aid to Local Units	0	0	0
Other Assistance	7,700	7,700	0
<b>TOTAL</b>	<b>\$ 107,221,270</b>	<b>\$ 103,202,675</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 37,127,620	\$ 32,953,082	\$ 0
Aid to Local Units	0	0	0
Other Assistance	3,295	3,295	0
<b>TOTAL</b>	<b>\$ 37,130,915</b>	<b>\$ 32,956,377</b>	<b>\$ 0</b>
FTE Positions	2,566.0	2,270.6	0.0
Non FTE Uncl. Perm. Pos.	9.9	9.9	0.0
<b>TOTAL</b>	<b>2,575.9</b>	<b>2,280.5</b>	<b>0.0</b>

### Agency Estimate/ Governor's Recommendation

**The state hospitals** request \$107,221,270 in operating expenditures for FY 2003 which includes State General Fund expenditures of \$37,130,915. Expenditures by major object are estimated as follows: salaries and wages of \$87,754,527; contractual services of \$10,412,683; commodities of \$8,989,360; capital outlay of \$47,000; and other assistance of \$7,700. The state hospitals estimate staffing of 2,566.0 FTE positions.

**The Governor** recommends \$103,202,675 in operating expenditures for FY 2003 which includes State General Fund expenditures of \$32,956,377. Expenditures by major object are estimated as follows: salaries and wages of \$85,461,208; contractual services of \$9,460,654; commodities of \$8,276,113; capital outlay of \$0; and other assistance of \$7,700. The Governor recommends staffing of 2,270.6 FTE positions.

The following table reflects the agency estimates and Governor's recommendation for each of the individual institutions:

Institution	Agency Estimate	Governor's Recommendation
	FY 2003	FY 2003
<b>Larned State Hospital</b>		
State General Fund	\$ 13,117,896	\$ 12,062,205
All Other Funds	20,562,616	20,431,316
<b>TOTAL</b>	<b>\$ 33,680,512</b>	<b>\$ 32,493,521</b>
<b>Osawatomie State Hospital</b>		
State General Fund	\$ 6,786,359	\$ 5,286,669
All Other Funds	14,242,263	14,742,263
<b>TOTAL</b>	<b>\$ 21,028,622</b>	<b>\$ 20,028,932</b>
<b>Rainbow Mental Health Facility</b>		
State General Fund	\$ 613,812	\$ 587,613
All Other Funds	6,089,799	6,089,799
<b>TOTAL</b>	<b>\$ 6,703,611</b>	<b>\$ 6,677,412</b>
<b>Kansas Neurological Institute</b>		
State General Fund	\$ 9,693,826	\$ 8,877,702
All Other Funds	15,110,012	15,110,012
<b>TOTAL</b>	<b>\$ 24,803,838</b>	<b>\$ 23,987,714</b>
<b>Parsons State Hospital and Training Center</b>		
State General Fund	\$ 6,919,022	\$ 6,142,188
All Other Funds	14,075,665	13,872,908
<b>TOTAL</b>	<b>\$ 20,994,687</b>	<b>\$ 20,015,096</b>
<b>FTE Positions</b>		
Larned State Hospital	792.8	699.8
Osawatomie State Hospital	477.4	413.9
Rainbow Mental Health Facility	126.8	112.3
Kansas Neurological Institute	655.5	589.5
Parsons State Hospital and Training Center	513.5	455.1
<b>TOTAL</b>	<b>2,566.0</b>	<b>2,270.6</b>
<b>Current Year Allotment*</b>		
	<u>July</u>	<u>November</u>
SRS (for SRS Hospitals)	\$ (479,129)	\$ 0
Larned State Hospital	0	(412,715)
Osawatomie State Hospital	0	(292,802)
Rainbow Mental Health Facility	0	(26,199)
Kansas Neurological Institute	(200,000)	(422,000)
Parsons State Hospital and Training Center	0	(308,566)
<b>TOTAL</b>	<b>\$ (679,129)</b>	<b>\$ (1,462,282)</b>

\*The SRS hospitals were assessed a \$679,129 allotment on August 15, 2002. The Department of Social and Rehabilitation Services absorbed \$479,129 of the allotment and the remaining \$200,000 was reflected in the Kansas Neurological Institute budget. The second allotment amount was increased by SRS by \$50,000 each for Larned State Hospital, Osawatomie State Hospital, Kansas Neurological Institute, and Parsons State Hospital and Training Center.

## Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following notations and observations:

1. The Subcommittee recommends that a task force be created and convened during the current Legislative Session. The Subcommittee further recommends that the state hospitals and the Department of Social and Rehabilitative Services convene the task force, which will include the Kansas Mental Health Coalition Task force and the Governor's Mental Health Coalition, in a continuing dialogue addressing the concerns of individuals in need of mental health care. The task force would be required to provide a report to Ways and Means and Appropriations during the 2004 Legislative Session.

The Subcommittee recommends that the task force study the following critical issues related to the state mental health and developmental disability institutions: the closure and consolidation of the Rainbow Mental Health Facility; the impact of FTE position reductions and the challenges of average daily census growth; the loss of private psychiatric beds and growing admissions in the state mental health institutions; Disproportionate Share (DSH) funding for Mental Health institutions; an evaluation of average length of stay and patient outcomes; continuing evaluation of the cost of pharmaceuticals and options available to increase the purchasing power for the Department of Social and Rehabilitation Services.

2. The Subcommittee recommends that the Department of Social and Rehabilitation Services shall take no action regarding the closure and consolidation of Rainbow Mental Health Facility in FY 2003 or FY 2004. The Subcommittee further recommends that an interim Legislative committee be appointed by the Legislative Coordinating Council to study the agency's FY 2004 proposal for the closure and consolidation of the Rainbow Mental Health Facility. This committee will seek input from the Department of Social and Rehabilitation Services and various stakeholders, as well as the task force convened during the 2003 Session of the Legislature, to better understand issues relating to the closure and consolidation and the more global issues related to the state hospitals. The committee would provide reports to the Senate Ways and Means Committee and the House Appropriations Committee.
3. The Subcommittee recommends the elimination of the proviso relating to the use of salary and wages' funds for other operating expenditures. The Subcommittee expresses concern about the institutions' needs for funding to support unanticipated capital outlay expenditures. The Subcommittee endorses the recommendation that has been made by the full Ways and Means Committee.
4. The Subcommittee expresses concern about the Governor's recommended reductions for the state hospitals' FTE positions in both FY 2003 and FY 2004. The recommended reductions, 295.4 FTE positions for FY 2003 and a total of 443.2 FTE positions in FY 2004, are a cause for concern. The Subcommittee notes that future shrinkage recommendations, at a point where shrinkage has been virtually eliminated by the FTE position reductions, would not allow the institutions any flexibility to adjust staffing related to the needs of the institution.

The Subcommittee notes the importance of having sufficient numbers of well-trained staff in order to successfully treat seriously ill patients.

5. The Subcommittee recommends that the state hospitals and the Department of Social and Rehabilitation Services continue to work with other states to combine their purchasing power to purchase pharmaceuticals at a lower cost. The current state hospital budgets do not have the resources to accommodate the rising costs of the pharmaceuticals necessary to provide for patients at all of the state hospitals.
6. The Subcommittee expresses concern about the availability of federal monies available to the state hospitals. The Subcommittee recommends that the Department of Social and Rehabilitation Services continue to pursue all eligible dollars, including those monies for Disproportionate Share for Hospitals (DSH).
7. The Subcommittee notes that the state hospitals' infrastructure, in light of the current budget situation, needs to be monitored on an on-going basis to ensure that the maintenance needs for each institution are addressed.
8. The Subcommittee expresses concern about the continuing increase of the Sexual Predator Treatment Program at Larned State Hospital and the impact of additional demands on staff and support services. The program's average daily census is currently 73, with projections for 75 by the end of the current year and 85 for FY 2004. The Department of Social and Rehabilitation Services testified that, on average, the program is gaining one individual per month.
9. The Subcommittee notes the importance of the current 250-bed building project, the State Security Hospital (SSH), at Larned State Hospital. The Subcommittee notes that the SSH is currently serving a reduced number of inmates, projected at 98 for the current year and budget year, and the facility, projected to open in January 2006, would be able to serve a greater capacity. The facility plans include the addition of 90 beds to serve the current needs of the Kansas Department of Corrections. The Subcommittee recognizes the need for greater capacity and notes, despite the loss of 42 beds, the State Security Program has experienced only a 1 percent decrease in admissions over the past five years. Increased capacity will better meet the needs of the mentally ill from our courts, jails, and prisons. In addition, the Subcommittee notes that the opening of the new facility would allow for the Sexual Predator Treatment Program to expand its current operations in the Dillon building. The Subcommittee notes that the Dillon Building will require remodeling to accommodate the program's needs.
10. The Subcommittee recommends a Governor's Budget Amendment to make a technical adjustment to SB 62. The lapse amount for Larned State Hospital is reported as \$642,296. The lapse amended amount for Larned State Hospital is \$141,634.



## Senate Subcommittee Report

**Agency:** State Hospitals

**Bill No. - -**

**Bill Sec. - -**

**Analyst:** Calderwood

**Analysis Pg. No.** 635, 657, 680, 708, 730 **Budget Page No.** 285, 309, 327, 331, 337

Expenditure Summary	Agency Request FY 04	Governor's Recommendation FY 04	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 102,648,007	\$ 105,889,777	\$ 0
Aid to Local Units	0	0	0
Other Assistance	6,500	6,500	0
<b>TOTAL</b>	<u><u>\$ 102,654,507</u></u>	<u><u>\$ 105,896,277</u></u>	<u><u>\$ 0</u></u>
<b>State General Fund:</b>			
State Operations	\$ 51,719,535	\$ 54,249,719	\$ 0
Aid to Local Units	0	0	0
Other Assistance	3,320	3,320	0
<b>TOTAL</b>	<u><u>\$ 51,722,855</u></u>	<u><u>\$ 54,253,039</u></u>	<u><u>\$ 0</u></u>
FTE Positions	2,509.2	2,165.8	0.0
Non FTE Uncl. Perm. Pos.	9.9	9.9	0.0
<b>TOTAL</b>	<u><u>2,519.1</u></u>	<u><u>2,175.7</u></u>	<u><u>0.0</u></u>

### Agency Request/ Governor's Recommendation

**The state hospitals** request \$102,654,507 in operating expenditures for FY 2004 which includes State General Fund expenditures of \$51,722,855. Expenditures by major object are estimated as follows: salaries and wages of \$83,759,089; contractual services of \$9,614,129; commodities of \$9,274,789; capital outlay of \$0; and other assistance of \$6,500. The state hospitals estimate staffing of 2564.1 FTE positions.

**The Governor** recommends \$105,896,277 in operating expenditures for FY 2004 which includes State General Fund expenditures of \$54,253,039. Expenditures by major object are estimated as follows: salaries and wages of \$86,705,469; contractual services of \$10,253,524; commodities of \$8,930,784; capital outlay of \$0; and other assistance of \$6,500. The Governor recommends staffing of 2,165.8 FTE positions.

The following table reflects the agency estimates and Governor's recommendation for each of the individual institutions:

Institution	Agency Estimate FY 2004	Governor's Recommendation FY 2004
<b>Larned State Hospital</b>		
State General Fund	\$ 25,785,280	\$ 25,527,686
All Other Funds	9,284,229	9,284,229
<b>TOTAL</b>	<b><u>\$ 35,069,509</u></b>	<b><u>\$ 34,811,915</u></b>
<b>Osawatomie State Hospital</b>		
State General Fund	\$ 9,305,027	\$ 8,225,647
All Other Funds	13,670,889	11,430,025
<b>TOTAL</b>	<b><u>\$ 22,975,916</u></b>	<b><u>\$ 19,655,672</u></b>
<b>Rainbow Mental Health Facility</b>		
State General Fund	\$ 0	\$ 3,867,158
All Other Funds	0	2,952,450
<b>TOTAL</b>	<b><u>\$ 0</u></b>	<b><u>\$ 6,819,608</u></b>
<b>Kansas Neurological Institute</b>		
State General Fund	\$ 9,765,684	\$ 9,765,684
All Other Funds	14,481,732	14,481,732
<b>TOTAL</b>	<b><u>\$ 24,247,416</u></b>	<b><u>\$ 24,247,416</u></b>
<b>Parsons State Hospital and Training Center</b>		
State General Fund	\$ 6,866,864	\$ 6,866,864
All Other Funds	13,494,802	13,494,802
<b>TOTAL</b>	<b><u>\$ 20,361,666</u></b>	<b><u>\$ 20,361,666</u></b>
<b>FTE Positions</b>		
Larned State Hospital	792.8	663.0*
Osawatomie State Hospital	549.4	436.3
Rainbow Mental Health Facility	0.0	112.3
Kansas Neurological Institute	653.5	530.0
Parsons State Hospital and Training Center	513.5	424.2
<b>TOTAL</b>	<b><u>2,509.2</u></b>	<b><u>2,165.8</u></b>

\* The Governor's recommendation includes the addition of 45.0 FTE for the Sexual Predator Treatment Program.

## Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following notations and observations:

1. The Subcommittee recommends that a task force be created and convened during the current Legislative Session. The Subcommittee further recommends that the state hospitals and the Department of Social and Rehabilitative Services convene the task force, which will include the Kansas Mental Health Coalition Task force and the Governor's Mental Health Coalition, in a continuing dialogue addressing the concerns of individuals in need of mental health care. The task force would be required to provide a report to Ways and Means and Appropriations during the 2004 Legislative Session.

The Subcommittee recommends that the task force study the following critical issues related to the state mental health and developmental disability institutions: the closure and consolidation of the Rainbow Mental Health Facility; the impact of FTE position reductions and the challenges of average daily census growth; the loss of private psychiatric beds and growing admissions in the state mental health institutions; Disproportionate Share (DSH) funding for Mental Health institutions; an evaluation of average length of stay and patient outcomes; continuing evaluation of the cost of pharmaceuticals and options available to increase the purchasing power for the Department of Social and Rehabilitation Services.

2. The Subcommittee recommends that the Department of Social and Rehabilitation Services shall take no action regarding the closure and consolidation of Rainbow Mental Health Facility in FY 2003 or FY 2004. The Subcommittee further recommends that an interim Legislative committee be appointed by the Legislative Coordinating Council to study the agency's FY 2004 proposal for the closure and consolidation of the Rainbow Mental Health Facility. This committee will seek input from the Department of Social and Rehabilitation Services and various stakeholders, as well as the task force convened during the 2003 Session of the Legislature, to better understand issues relating to the closure and consolidation and the more global issues related to the state hospitals. The committee would provide reports to the Senate Ways and Means Committee and the House Appropriations Committee.
3. The Subcommittee recommends the elimination of the proviso relating to the use of salary and wages' funds for other operating expenditures. The Subcommittee expresses concern about the institutions' needs for funding to support unanticipated capital outlay expenditures. The Subcommittee endorses the recommendation that has been made by the full Ways and Means Committee.
4. The Subcommittee expresses concern about the Governor's recommended reductions for the state hospitals' FTE positions in both FY 2003 and FY 2004. The recommended reductions, 295.4 FTE positions for FY 2003 and a total of 443.2 FTE positions in FY 2004, are a cause for concern. The Subcommittee notes that future shrinkage recommendations, at a point where shrinkage has

been virtually eliminated by the FTE position reductions, would not allow the institutions any flexibility to adjust staffing related to the needs of the institution. The Subcommittee notes the importance of having sufficient numbers of well-trained staff in order to successfully treat seriously ill patients.

5. The Subcommittee recommends that the state hospitals and the Department of Social and Rehabilitation Services continue to work with other states to combine their purchasing power to purchase pharmaceuticals at a lower cost. The current state hospital budgets do not have the resources to accommodate the rising costs of the pharmaceuticals necessary to provide for patients at all of the state hospitals.
6. The Subcommittee expresses concern about the availability of federal monies available to the state hospitals. The Subcommittee recommends that the Department of Social and Rehabilitation Services continue to pursue all eligible dollars, including those monies for Disproportionate Share for Hospitals (DSH).
7. The Subcommittee notes that the state hospitals' infrastructure, in light of the current budget situation, needs to be monitored on an on-going basis to ensure that the maintenance needs for each institution are addressed.
8. The Subcommittee expresses concern about the continuing increase of the Sexual Predator Treatment Program at Larned State Hospital and the impact of additional demands on staff and support services. The program's average daily census is currently 73, with projections for 75 by the end of the current year and 85 for FY 2004. The Department of Social and Rehabilitation Services testified that, on average, the program is gaining one individual per month.
9. The Subcommittee notes the importance of the current 250-bed building project, the State Security Hospital (SSH), at Larned State Hospital. The Subcommittee notes that the SSH is currently serving a reduced number of inmates, projected at 98 for the current year and budget year, and the facility, projected to open in January 2006, would be able to serve a greater capacity. The facility plans include the addition of 90 beds to serve the current needs of the Kansas Department of Corrections. The Subcommittee recognizes the need for greater capacity and notes, despite the loss of 42 beds, the State Security Program has experienced only a 1 percent decrease in admissions over the past five years. Increased capacity will better meet the needs of the mentally ill from our courts, jails, and prisons. In addition, the Subcommittee notes that the opening of the new facility would allow for the Sexual Predator Treatment Program to expand its current operations in the Dillon building. The Subcommittee notes that the Dillon Building will require remodeling to accommodate the program's needs.
10. The Subcommittee recommends a Governor's Budget Amendment to make a technical adjustment to SB 62. The lapse amount for Larned State Hospital is reported as \$642,296. The lapse amended amount for Larned State Hospital is \$141,634.

## Senate Subcommittee Report

**Agency:** Mental Health Institutions

**Bill No.** SB 62

**Bill Sec.** 21

**Analyst:** Calderwood

**Analysis Pg. No.** 680, 708, 730 **Budget Page No.** 309,  
327, 337

Expenditure Summary	Agency Estimate FY 03	Governor's Recommendation FY 03	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 61,409,045	\$ 59,196,165	\$ 0
Aid to Local Units	0	0	0
Other Assistance	3,700	3,700	0
<b>TOTAL</b>	<b><u>\$ 61,412,745</u></b>	<b><u>\$ 59,199,865</u></b>	<b><u>\$ 0</u></b>
<b>State General Fund:</b>			
State Operations	\$ 20,515,567	\$ 17,933,987	\$ 0
Aid to Local Units	0	0	0
Other Assistance	2,500	2,500	0
<b>TOTAL</b>	<b><u>\$ 20,518,067</u></b>	<b><u>\$ 17,937,687</u></b>	<b><u>\$ 0</u></b>
FTE Positions	1,397.0	1,226.0	0.0
Non FTE Uncl. Perm. Pos.	8.0	8.0	0.0
<b>TOTAL</b>	<b><u>1,405.0</u></b>	<b><u>1,234.0</u></b>	<b><u>0.0</u></b>

### Agency Estimate/Governor's Recommendation

The mental health institutions request \$61,412,745 in operating expenditures for FY 2003 which includes State General Fund expenditures of \$20,518,067. Expenditures by major object are estimated as follows: salaries and wages of \$48,432,386; contractual services of \$6,995,163; commodities of \$5,934,496; capital outlay of \$47,000; and other assistance of \$3,700. The mental health institutions estimate staffing of 1,397.0 FTE positions.

The Governor recommends \$59,199,865 in operating expenditures for FY 2003 which includes State General Fund expenditures of \$20,518,067. Expenditures by major object are estimated as follows: salaries and wages of \$47,148,297; contractual services of \$6,405,970; commodities of \$5,611,898; capital outlay of \$0; and other assistance of \$3,700. The Governor recommends staffing of 1,226.0 FTE positions.

*Senate Ways and Means  
2-12-03  
Attachment 2*

The following table reflects the agency estimates and Governor's recommendation for each of the individual institutions:

Institution	Agency Estimate FY 2003	Governor's Recommendation FY 2003
Larned State Hospital		
State General Fund	\$ 13,117,896	\$ 12,062,205
All Other Funds	20,562,616	20,431,316
TOTAL	<u>\$ 33,680,512</u>	<u>\$ 32,493,521</u>
Osawatomie State Hospital		
State General Fund	\$ 6,786,359	\$ 5,286,669
All Other Funds	14,242,263	14,742,263
TOTAL	<u>\$ 21,028,622</u>	<u>\$ 20,028,932</u>
Rainbow Mental Health Facility		
State General Fund	\$ 613,812	\$ 587,613
All Other Funds	6,089,799	6,089,799
TOTAL	<u>\$ 6,703,611</u>	<u>\$ 6,677,412</u>
FTE Positions		
Larned State Hospital	792.8	699.8
Osawatomie State Hospital	477.4	413.9
Rainbow Mental Health Facility	126.8	112.3
TOTAL	<u>1,397.0</u>	<u>1,126.0</u>

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following notations and observations:

1. The Subcommittee recommends that a task force be created and convened during the current Legislative Session. The Subcommittee further recommends that the state hospitals and the Department of Social and Rehabilitative Services convene the task force, which will include the Kansas Mental Health Coalition Task force and the Governor's Mental Health Coalition, in a continuing dialogue addressing the concerns of individuals in need of mental health care. The task force would be required to provide a report to Ways and Means and Appropriations during the 2004 Legislative Session.

The Subcommittee recommends that the task force study the following critical issues related to the state mental health and developmental disability institutions: the closure and consolidation of the Rainbow Mental Health Facility; the impact of FTE position reductions and the challenges of average daily census growth; the loss of private psychiatric beds and growing admissions in the state mental health institutions; Disproportionate Share (DSH) funding for Mental Health institutions; an evaluation of average length of stay and patient

outcomes; continuing evaluation of the cost of pharmaceuticals and options available to increase the purchasing power for the Department of Social and Rehabilitation Services.

2. The Subcommittee recommends that the Department of Social and Rehabilitation Services shall take no action regarding the closure and consolidation of Rainbow Mental Health Facility in FY 2003 or FY 2004. The Subcommittee further recommends that an interim Legislative committee be appointed by the Legislative Coordinating Council to study the agency's FY 2004 proposal for the closure and consolidation of the Rainbow Mental Health Facility. This committee will seek input from the Department of Social and Rehabilitation Services and various stakeholders, as well as the task force convened during the 2003 Session of the Legislature, to better understand issues relating to the closure and consolidation and the more global issues related to the state hospitals. The committee would provide reports to the Senate Ways and Means Committee and the House Appropriations Committee.
3. The Subcommittee recommends the elimination of the proviso relating to the use of salary and wages' funds for other operating expenditures. The Subcommittee expresses concern about the institutions' needs for funding to support unanticipated capital outlay expenditures. The Subcommittee endorses the recommendation that has been made by the full Ways and Means Committee.
4. The Subcommittee expresses concern about the Governor's recommended reductions for the state hospitals' FTE positions in both FY 2003 and FY 2004. The recommended reductions, 295.4 FTE positions for FY 2003 and a total of 443.2 FTE positions in FY 2004, are a cause for concern. The Subcommittee notes that future shrinkage recommendations, at a point where shrinkage has been virtually eliminated by the FTE position reductions, would not allow the institutions any flexibility to adjust staffing related to the needs of the institution. The Subcommittee notes the importance of having sufficient numbers of well-trained staff in order to successfully treat seriously ill patients.
5. The Subcommittee recommends that the state hospitals and the Department of Social and Rehabilitation Services continue to work with other states to combine their purchasing power to purchase pharmaceuticals at a lower cost. The current state hospital budgets do not have the resources to accommodate the rising costs of the pharmaceuticals necessary to provide for patients at all of the state hospitals.
6. The Subcommittee expresses concern about the availability of federal monies available to the state hospitals. The Subcommittee recommends that the Department of Social and Rehabilitation Services continue to pursue all eligible dollars, including those monies for Disproportionate Share for Hospitals (DSH).
7. The Subcommittee notes that the state hospitals' infrastructure, in light of the current budget situation, needs to be monitored on an on-going basis to ensure that the maintenance needs for each institution are addressed.

8. The Subcommittee expresses concern about the continuing increase of the Sexual Predator Treatment Program at Larned State Hospital and the impact of additional demands on staff and support services. The program's average daily census is currently 73, with projections for 75 by the end of the current year and 85 for FY 2004. The Department of Social and Rehabilitation Services testified that, on average, the program is gaining one individual per month.
9. The Subcommittee notes the importance of the current 250-bed building project, the State Security Hospital (SSH), at Larned State Hospital. The Subcommittee notes that the SSH is currently serving a reduced number of inmates, projected at 98 for the current year and budget year, and the facility, projected to open in January 2006, would be able to serve a greater capacity. The facility plans include the addition of 90 beds to serve the current needs of the Kansas Department of Corrections. The Subcommittee recognizes the need for greater capacity and notes, despite the loss of 42 beds, the State Security Program has experienced only a 1 percent decrease in admissions over the past five years. Increased capacity will better meet the needs of the mentally ill from our courts, jails, and prisons. In addition, the Subcommittee notes that the opening of the new facility would allow for the Sexual Predator Treatment Program to expand its current operations in the Dillon building. The Subcommittee notes that the Dillon Building will require remodeling to accommodate the program's needs.
10. The Subcommittee recommends a Governor's Budget Amendment to make a technical adjustment to SB 62. The lapse amount for Larned State Hospital is reported as \$642,296. The lapse amended amount for Larned State Hospital is \$141,634.



## Senate Subcommittee Report

**Agency:** Mental Health Institutions

**Bill No. - -**

**Bill Sec. - -**

**Analyst:** Calderwood

**Analysis Pg. No.** 680, 708, 730 **Budget Page No.** 309,  
327, 337

Expenditure Summary	Agency Request FY 04	Governor's Recommendation FY 04	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 102,648,007	\$ 105,889,777	\$ 0
Aid to Local Units	0	0	0
Other Assistance	6,500	6,500	0
<b>TOTAL</b>	<b><u>\$ 102,654,507</u></b>	<b><u>\$ 105,896,277</u></b>	<b><u>\$ 0</u></b>
<b>State General Fund:</b>			
State Operations	\$ 51,719,535	\$ 54,249,719	\$ 0
Aid to Local Units	0	0	0
Other Assistance	3,320	3,320	0
<b>TOTAL</b>	<b><u>\$ 51,722,855</u></b>	<b><u>\$ 54,253,039</u></b>	<b><u>\$ 0</u></b>
FTE Positions	1,342.2	1,211.6	0.0
Non FTE Uncl. Perm. Pos.	8.0	8.0	0.0
<b>TOTAL</b>	<b><u>1,350.2</u></b>	<b><u>1,219.6</u></b>	<b><u>0.0</u></b>

### Agency Request/Governor's Recommendation

The mental health institutions request \$102,654,507 in operating expenditures for FY 2004 which includes State General Fund expenditures of \$51,722,855. Expenditures by major object are estimated as follows: salaries and wages of \$45,631,202; contractual services of \$6,105,006; commodities of \$6,306,717; capital outlay of \$0; and other assistance of \$2,500. The mental health institutions estimate staffing of 1,342.2 FTE positions.

The Governor recommends \$105,896,277 in operating expenditures for FY 2004 which includes State General Fund expenditures of \$54,253,039. Expenditures by major object are estimated as follows: salaries and wages of \$48,577,582; contractual services of \$6,744,401; commodities of \$5,962,712; capital outlay of \$0; and other assistance of \$2,500. The Governor recommends staffing of 1,211.6 FTE positions.

The following table reflects the agency estimates and Governor's recommendation for each of the individual institutions:

Institution	Agency Estimate FY 2004	Governor's Recommendation FY 2004
Larned State Hospital		
State General Fund	\$ 25,785,280	\$ 25,527,686
All Other Funds	9,284,229	9,284,229
TOTAL	<u>\$ 35,069,509</u>	<u>\$ 34,811,915</u>
Osawatomie State Hospital		
State General Fund	\$ 9,305,027	\$ 8,225,647
All Other Funds	13,670,889	11,430,025
TOTAL	<u>\$ 22,975,916</u>	<u>\$ 19,655,672</u>
Rainbow Mental Health Facility		
State General Fund	\$ 0	\$ 3,867,158
All Other Funds	0	2,952,450
TOTAL	<u>\$ 0</u>	<u>\$ 6,819,608</u>
FTE Positions		
Larned State Hospital	792.8	663.0*
Osawatomie State Hospital	549.4	436.3
Rainbow Mental Health Facility	0.0	112.3
TOTAL	<u>1,342.2</u>	<u>1,211.6</u>

\* The Governor's recommendation includes the addition of 45.0 FTE for the Sexual Predator Treatment Program.

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following notations and observations:

1. The Subcommittee recommends that a task force be created and convened during the current Legislative Session. The Subcommittee further recommends that the state hospitals and the Department of Social and Rehabilitative Services convene the task force, which will include the Kansas Mental Health Coalition Task force and the Governor's Mental Health Coalition, in a continuing dialogue addressing the concerns of individuals in need of mental health care. The task force would be required to provide a report to Ways and Means and Appropriations during the 2004 Legislative Session.

The Subcommittee recommends that the task force study the following critical issues related to the state mental health and developmental disability institutions: the closure and consolidation of the Rainbow Mental Health Facility; the impact of FTE position reductions and the challenges of average daily census growth; the loss of private psychiatric beds and growing admissions in

the state mental health institutions; Disproportionate Share (DSH) funding for Mental Health institutions; an evaluation of average length of stay and patient outcomes; continuing evaluation of the cost of pharmaceuticals and options available to increase the purchasing power for the Department of Social and Rehabilitation Services.

2. The Subcommittee recommends that the Department of Social and Rehabilitation Services shall take no action regarding the closure and consolidation of Rainbow Mental Health Facility in FY 2003 or FY 2004. The Subcommittee further recommends that an interim Legislative committee be appointed by the Legislative Coordinating Council to study the agency's FY 2004 proposal for the closure and consolidation of the Rainbow Mental Health Facility. This committee will seek input from the Department of Social and Rehabilitation Services and various stakeholders, as well as the task force convened during the 2003 Session of the Legislature, to better understand issues relating to the closure and consolidation and the more global issues related to the state hospitals. The committee would provide reports to the Senate Ways and Means Committee and the House Appropriations Committee.
3. The Subcommittee recommends the elimination of the proviso relating to the use of salary and wages' funds for other operating expenditures. The Subcommittee expresses concern about the institutions' needs for funding to support unanticipated capital outlay expenditures. The Subcommittee endorses the recommendation that has been made by the full Ways and Means Committee.
4. The Subcommittee expresses concern about the Governor's recommended reductions for the state hospitals' FTE positions in both FY 2003 and FY 2004. The recommended reductions, 295.4 FTE positions for FY 2003 and a total of 443.2 FTE positions in FY 2004, are a cause for concern. The Subcommittee notes that future shrinkage recommendations, at a point where shrinkage has been virtually eliminated by the FTE position reductions, would not allow the institutions any flexibility to adjust staffing related to the needs of the institution. The Subcommittee notes the importance of having sufficient numbers of well-trained staff in order to successfully treat seriously ill patients.
5. The Subcommittee recommends that the state hospitals and the Department of Social and Rehabilitation Services continue to work with other states to combine their purchasing power to purchase pharmaceuticals at a lower cost. The current state hospital budgets do not have the resources to accommodate the rising costs of the pharmaceuticals necessary to provide for patients at all of the state hospitals.
6. The Subcommittee expresses concern about the availability of federal monies available to the state hospitals. The Subcommittee recommends that the Department of Social and Rehabilitation Services continue to pursue all eligible dollars, including those monies for Disproportionate Share for Hospitals (DSH).

7. The Subcommittee notes that the state hospitals' infrastructure, in light of the current budget situation, needs to be monitored on an on-going basis to ensure that the maintenance needs for each institution are addressed.
8. The Subcommittee expresses concern about the continuing increase of the Sexual Predator Treatment Program at Larned State Hospital and the impact of additional demands on staff and support services. The program's average daily census is currently 73, with projections for 75 by the end of the current year and 85 for FY 2004. The Department of Social and Rehabilitation Services testified that, on average, the program is gaining one individual per month.
9. The Subcommittee notes the importance of the current 250-bed building project, the State Security Hospital (SSH), at Larned State Hospital. The Subcommittee notes that the SSH is currently serving a reduced number of inmates, projected at 98 for the current year and budget year, and the facility, projected to open in January 2006, would be able to serve a greater capacity. The facility plans include the addition of 90 beds to serve the current needs of the Kansas Department of Corrections. The Subcommittee recognizes the need for greater capacity and notes, despite the loss of 42 beds, the State Security Program has experienced only a 1 percent decrease in admissions over the past five years. Increased capacity will better meet the needs of the mentally ill from our courts, jails, and prisons. In addition, the Subcommittee notes that the opening of the new facility would allow for the Sexual Predator Treatment Program to expand its current operations in the Dillon building. The Subcommittee notes that the Dillon Building will require remodeling to accommodate the program's needs.
10. The Subcommittee recommends a Governor's Budget Amendment to make a technical adjustment to SB 62. The lapse amount for Larned State Hospital is reported as \$642,296. The lapse amended amount for Larned State Hospital is \$141,634.

## Senate Subcommittee Report

**Agency:** Developmental Disability Institutions **Bill No.** SB 62

**Bill Sec.** 21

**Analyst:** Calderwood

**Analysis Pg. No.** 635, 657 **Budget Page No.** 285,  
331

Expenditure Summary	Agency Estimate FY 03	Governor's Recommendation FY 03	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 45,794,525	\$ 43,998,810	\$ 0
Aid to Local Units	0	0	0
Other Assistance	4,000	4,000	0
<b>TOTAL</b>	<b>\$ 45,798,525</b>	<b>\$ 44,002,810</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 16,612,053	\$ 15,019,095	\$ 0
Aid to Local Units	0	0	0
Other Assistance	795	795	0
<b>TOTAL</b>	<b>\$ 16,612,848</b>	<b>\$ 15,019,890</b>	<b>\$ 0</b>
FTE Positions	1,169.0	1,044.6	0.0
Non FTE Uncl. Perm. Pos.	1.9	1.9	0.0
<b>TOTAL</b>	<b>1,170.9</b>	<b>1,046.5</b>	<b>0.0</b>

### Agency Estimate/Governor's Recommendation

The developmental disability institutions request \$45,798,525 in operating expenditures for FY 2003 which includes State General Fund expenditures of \$16,612,848. Expenditures by major object are estimated as follows: salaries and wages of \$39,322,141; contractual services of \$3,417,520; commodities of \$3,054,864; capital outlay of \$0; and other assistance of \$4,000. The developmental disability institutions estimate staff of 1,169.0 FTE positions.

The Governor recommends \$44,002,810 in operating expenditures for FY 2003 which includes State General Fund expenditures of \$15,019,890. Expenditures by major object are estimated as follows: salaries and wages of \$38,282,911; contractual services of \$3,054,684; commodities of \$2,664,215; capital outlay of \$0; and other assistance of \$4,000. The Governor recommends staffing of 1,044.6 FTE positions.

*Senate Ways and Means  
2-12-03  
Attachment 3*

The following table reflects the agency estimates and the Governor's recommendation for each of the individual institutions.

Institution	Agency Estimate FY 2003	Governor's Recommendation FY 2003
Kansas Neurological Institute		
State General Fund	\$ 9,693,826	\$ 8,877,702
All Other Funds	<u>15,110,012</u>	<u>15,110,012</u>
TOTAL	<u>\$ 24,803,838</u>	<u>\$ 23,987,714</u>
Parsons State Hospital and Training Center		
State General Fund	\$ 6,919,022	\$ 6,142,188
All Other Funds	<u>14,075,665</u>	<u>13,872,908</u>
TOTAL	<u>\$ 20,994,687</u>	<u>\$ 20,015,096</u>
FTE Positions		
Kansas Neurological Institute	655.5	589.5
Parsons State Hospital and Training Center	<u>513.5</u>	<u>455.1</u>
TOTAL	<u>1,169.0</u>	<u>1,044.6</u>

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following notations and observations:

1. The Subcommittee recommends that a task force be created and convened during the current Legislative Session. The Subcommittee further recommends that the state hospitals and the Department of Social and Rehabilitative Services convene the task force, which will include the Kansas Mental Health Coalition Task force and the Governor's Mental Health Coalition, in a continuing dialogue addressing the concerns of individuals in need of mental health care. The task force would be required to provide a report to Ways and Means and Appropriations during the 2004 Legislative Session.

The Subcommittee recommends that the task force study the following critical issues related to the state mental health and developmental disability institutions: the closure and consolidation of the Rainbow Mental Health Facility; the impact of FTE position reductions and the challenges of average daily census growth; the loss of private psychiatric beds and growing admissions in the state mental health institutions; Disproportionate Share (DSH) funding for Mental Health institutions; an evaluation of average length of stay and patient outcomes; continuing evaluation of the cost of pharmaceuticals and options available to increase the purchasing power for the Department of Social and Rehabilitation Services.

2. The Subcommittee recommends that the Department of Social and Rehabilitation Services shall take no action regarding the closure and consolidation of Rainbow Mental Health Facility in FY 2003 or FY 2004. The Subcommittee further recommends that an interim Legislative committee be appointed by the Legislative Coordinating Council to study the agency's FY 2004 proposal for the closure and consolidation of the Rainbow Mental Health Facility. This committee will seek input from the Department of Social and Rehabilitation Services and various stakeholders, as well as the task force convened during the 2003 Session of the Legislature, to better understand issues relating to the closure and consolidation and the more global issues related to the state hospitals. The committee would provide reports to the Senate Ways and Means Committee and the House Appropriations Committee.
3. The Subcommittee recommends the elimination of the proviso relating to the use of salary and wages' funds for other operating expenditures. The Subcommittee expresses concern about the institutions' needs for funding to support unanticipated capital outlay expenditures. The Subcommittee endorses the recommendation that has been made by the full Ways and Means Committee.
4. The Subcommittee expresses concern about the Governor's recommended reductions for the state hospitals' FTE positions in both FY 2003 and FY 2004. The recommended reductions, 295.4 FTE positions for FY 2003 and a total of 443.2 FTE positions in FY 2004, are a cause for concern. The Subcommittee notes that future shrinkage recommendations, at a point where shrinkage has been virtually eliminated by the FTE position reductions, would not allow the institutions any flexibility to adjust staffing related to the needs of the institution. The Subcommittee notes the importance of having sufficient numbers of well-trained staff in order to successfully treat seriously ill patients.
5. The Subcommittee recommends that the state hospitals and the Department of Social and Rehabilitation Services continue to work with other states to combine their purchasing power to purchase pharmaceuticals at a lower cost. The current state hospital budgets do not have the resources to accommodate the rising costs of the pharmaceuticals necessary to provide for patients at all of the state hospitals.
6. The Subcommittee expresses concern about the availability of federal monies available to the state hospitals. The Subcommittee recommends that the Department of Social and Rehabilitation Services continue to pursue all eligible dollars, including those monies for Disproportionate Share for Hospitals (DSH).
7. The Subcommittee notes that the state hospitals' infrastructure, in light of the current budget situation, needs to be monitored on an on-going basis to ensure that the maintenance needs for each institution are addressed.
8. The Subcommittee expresses concern about the continuing increase of the Sexual Predator Treatment Program at Larned State Hospital and the impact of additional demands on staff and support services. The program's average daily census is currently 73, with projections for 75 by the end of the current

year and 85 for FY 2004. The Department of Social and Rehabilitation Services testified that, on average, the program is gaining one individual per month.

9. The Subcommittee notes the importance of the current 250-bed building project, the State Security Hospital (SSH), at Larned State Hospital. The Subcommittee notes that the SSH is currently serving a reduced number of inmates, projected at 98 for the current year and budget year, and the facility, projected to open in January 2006, would be able to serve a greater capacity. The facility plans include the addition of 90 beds to serve the current needs of the Kansas Department of Corrections. The Subcommittee recognizes the need for greater capacity and notes, despite the loss of 42 beds, the State Security Program has experienced only a 1 percent decrease in admissions over the past five years. Increased capacity will better meet the needs of the mentally ill from our courts, jails, and prisons. In addition, the Subcommittee notes that the opening of the new facility would allow for the Sexual Predator Treatment Program to expand its current operations in the Dillon building. The Subcommittee notes that the Dillon Building will require remodeling to accommodate the program's needs.
10. The Subcommittee recommends a Governor's Budget Amendment to make a technical adjustment to SB 62. The lapse amount for Larned State Hospital is reported as \$642,296. The lapse amended amount for Larned State Hospital is \$141,634.



## Senate Subcommittee Report

**Agency:** Developmental Disability Institutions **Bill No. - -**

**Bill Sec. - -**

**Analyst:** Calderwood

**Analysis Pg. No.** 635, 657

**Budget Page No.** 285, 331

Expenditure Summary	Agency Request FY 04	Governor's Recommendation FY 04	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 44,605,082	\$ 44,605,082	\$ 0
Aid to Local Units	0	0	0
Other Assistance	4,000	4,000	0
<b>TOTAL</b>	<b>\$ 44,609,082</b>	<b>\$ 44,609,082</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 16,631,728	\$ 16,631,728	\$ 0
Aid to Local Units	0	0	0
Other Assistance	820	820	0
<b>TOTAL</b>	<b>\$ 16,632,548</b>	<b>\$ 16,632,548</b>	<b>\$ 0</b>
FTE Positions	1,167.0	954.2	0.0
Non FTE Uncl. Perm. Pos.	1.9	1.9	0.0
<b>TOTAL</b>	<b>1,168.9</b>	<b>956.1</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

The developmental disability institutions request \$44,609,082 in operating expenditures for FY 2004 which includes State General Fund expenditures of \$16,632,548. Expenditures by major object are requested as follows: salaries and wages of \$38,127,887 for salaries and wages; contractual services of \$3,590,123; commodities of \$2,968,072; capital outlay of \$0; and other assistance of \$4,000. The developmental disability institutions request staffing of 1,168.9 FTE positions.

The Governor concurs with the agency FY 2004 operating expenditures request. The Governor recommends staffing of 956.1 FTE positions.

The following table reflects the agency estimates and the Governor's recommendation for each of the individual institutions.

Institution	Agency Estimate FY 2004	Governor's Recommendation FY 2004
Kansas Neurological Institute		
State General Fund	\$ 9,765,684	\$ 9,765,684
All Other Funds	14,481,732	14,481,732
TOTAL	<u>\$ 24,247,416</u>	<u>\$ 24,247,416</u>
Parsons State Hospital and Training Center		
State General Fund	\$ 6,866,864	\$ 6,142,188
All Other Funds		13,872,908
TOTAL	<u>\$ 20,994,687</u>	<u>\$ 20,015,096</u>
FTE Positions		
Kansas Neurological Institute	653.5	530.0
Parsons State Hospital and Training Center	513.5	424.2
TOTAL	<u>1,167.0</u>	<u>954.2</u>

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following notations and observations:

1. The Subcommittee recommends that a task force be created and convened during the current Legislative Session. The Subcommittee further recommends that the state hospitals and the Department of Social and Rehabilitative Services convene the task force, which will include the Kansas Mental Health Coalition Task force and the Governor's Mental Health Coalition, in a continuing dialogue addressing the concerns of individuals in need of mental health care. The task force would be required to provide a report to Ways and Means and Appropriations during the 2004 Legislative Session.

The Subcommittee recommends that the task force study the following critical issues related to the state mental health and developmental disability institutions: the closure and consolidation of the Rainbow Mental Health Facility; the impact of FTE position reductions and the challenges of average daily census growth; the loss of private psychiatric beds and growing admissions in the state mental health institutions; Disproportionate Share (DSH) funding for Mental Health institutions; an evaluation of average length of stay and patient outcomes; continuing evaluation of the cost of pharmaceuticals and options available to increase the purchasing power for the Department of Social and Rehabilitation Services.

2. The Subcommittee recommends that the Department of Social and Rehabilitation Services shall take no action regarding the closure and consolidation of Rainbow Mental Health Facility in FY 2003 or FY 2004. The Subcommittee further recommends that an interim Legislative committee be appointed by the Legislative Coordinating Council to study the agency's FY 2004 proposal for the closure and consolidation of the Rainbow Mental Health Facility. This committee will seek input from the Department of Social and Rehabilitation Services and various stakeholders, as well as the task force convened during the 2003 Session of the Legislature, to better understand issues relating to the closure and consolidation and the more global issues related to the state hospitals. The committee would provide reports to the Senate Ways and Means Committee and the House Appropriations Committee.
3. The Subcommittee recommends the elimination of the proviso relating to the use of salary and wages' funds for other operating expenditures. The Subcommittee expresses concern about the institutions' needs for funding to support unanticipated capital outlay expenditures. The Subcommittee endorses the recommendation that has been made by the full Ways and Means Committee.
4. The Subcommittee expresses concern about the Governor's recommended reductions for the state hospitals' FTE positions in both FY 2003 and FY 2004. The recommended reductions, 295.4 FTE positions for FY 2003 and a total of 443.2 FTE positions in FY 2004, are a cause for concern. The Subcommittee notes that future shrinkage recommendations, at a point where shrinkage has been virtually eliminated by the FTE position reductions, would not allow the institutions any flexibility to adjust staffing related to the needs of the institution. The Subcommittee notes the importance of having sufficient numbers of well-trained staff in order to successfully treat seriously ill patients.
5. The Subcommittee recommends that the state hospitals and the Department of Social and Rehabilitation Services continue to work with other states to combine their purchasing power to purchase pharmaceuticals at a lower cost. The current state hospital budgets do not have the resources to accommodate the rising costs of the pharmaceuticals necessary to provide for patients at all of the state hospitals.
6. The Subcommittee expresses concern about the availability of federal monies available to the state hospitals. The Subcommittee recommends that the Department of Social and Rehabilitation Services continue to pursue all eligible dollars, including those monies for Disproportionate Share for Hospitals (DSH).
7. The Subcommittee notes that the state hospitals' infrastructure, in light of the current budget situation, needs to be monitored on an on-going basis to ensure that the maintenance needs for each institution are addressed.
8. The Subcommittee expresses concern about the continuing increase of the Sexual Predator Treatment Program at Larned State Hospital and the impact of additional demands on staff and support services. The program's average daily census is currently 73, with projections for 75 by the end of the current

year and 85 for FY 2004. The Department of Social and Rehabilitation Services testified that, on average, the program is gaining one individual per month.

9. The Subcommittee notes the importance of the current 250-bed building project, the State Security Hospital (SSH), at Larned State Hospital. The Subcommittee notes that the SSH is currently serving a reduced number of inmates, projected at 98 for the current year and budget year, and the facility, projected to open in January 2006, would be able to serve a greater capacity. The facility plans include the addition of 90 beds to serve the current needs of the Kansas Department of Corrections. The Subcommittee recognizes the need for greater capacity and notes, despite the loss of 42 beds, the State Security Program has experienced only a 1 percent decrease in admissions over the past five years. Increased capacity will better meet the needs of the mentally ill from our courts, jails, and prisons. In addition, the Subcommittee notes that the opening of the new facility would allow for the Sexual Predator Treatment Program to expand its current operations in the Dillon building. The Subcommittee notes that the Dillon Building will require remodeling to accommodate the program's needs.
10. The Subcommittee recommends a Governor's Budget Amendment to make a technical adjustment to SB 62. The lapse amount for Larned State Hospital is reported as \$642,296. The lapse amended amount for Larned State Hospital is \$141,634.

SENATE BILL No. 45

By Committee on Ways and Means

1-22

21-3836 and K.S.A.

9 AN ACT concerning crimes, criminal procedure and punishment; relating to aid to indigent defendants; application fee; amending K.S.A. 2002 Supp. 22-4529 and repealing the existing section.

sections

See attachment 1

12 Be it enacted by the Legislature of the State of Kansas:

13 Sec. 2. Section J K.S.A. 2002 Supp. 22-4529 is hereby amended to read as follows: 22-4529. The court may impose an administrative fee in the amount of \$35 against Any defendant entitled to counsel pursuant to K.S.A. 22-4503, and amendments thereto shall pay an application fee in the amount of \$100 to the clerk of the district court. If it appears to the satisfaction of the court that payment of the administrative application fee will impose manifest hardship on the defendant, the court may waive payment of all or part of the administrative application fee. All moneys received pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the indigents' defense services fund. If the defendant is acquitted or the case is dismissed, any administrative application fee paid pursuant to this section shall be remitted to the defendant. The provisions of this section shall take effect on and after July 1, 1997.

conditions of bond;

30 Sec. 2. K.S.A. 2002 Supp. 22-4529 is hereby repealed.  
31 Sec. 3. This act shall take effect and be in force from and after its  
32 publication in the Kansas register.

21-3836 and K.S.A.

are

Senate Ways and Means  
2-12-03  
Attachment 4

Section 1. K.S.A. 21-3836 is hereby amended to read as follows: 21-3836. (a) Any pretrial release of any criminal defendant, whether on bail or under another form of recognizance, shall be considered as a matter of law to include a condition that the defendant will not commit, cause to be committed or knowingly permit to be committed, on the defendant's behalf, any violation of this act. Willful violation of that condition is subject to the sanction provided by subsection (c) of K.S.A. 21-3835, whether or not the defendant was the subject of an order under K.S.A. 21-3834.

ATTACHMENT 1

(b) Any receipt for any bail or bond given by any court, or by any surety or bondsman and any written promise to appear on one's own recognizance shall contain notice of the provisions of subsection (a) in a conspicuous location.

(c) Any pretrial release of any criminal defendant whether on bail or under another form of recognizance who requests and is entitled to the assistance of counsel under the provisions of K.S.A. 22-4503, and amendments thereto, shall be considered as a matter of law to include a condition that the defendant shall pay the application prescribed by K.S.A. 2002 Supp. 22-4529 and the failure to pay such fee shall constitute a violation of this act. Willful violation of such condition is subject to the sanction provided by subsection (c) of K.S.A. 21-3835, whether or not the defendant was the subject of an order under K.S.A. 21-3834, and amendments thereto.



STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary  
1020 S Kansas Ave., Room 200  
Topeka, KS 66612-1327  
Phone: (785) 296-2281 FAX: (785) 296-6953



**SENATE BILL 43**  
**Testimony provided to**  
**Senate Committee on Ways and Means**  
**February 12, 2003**

Thank you for the opportunity to provide testimony on Senate Bill 43.

This bill would increase the service charge fee that vendors, including county clerks, and the department receive for selling licenses, permits and stamps from 50-cents to \$1.00, and from 25-cents to 50-cents on the sale of state migratory waterfowl stamps. The 50-cent fee has been in place since 1989.

The bill's fiscal impact is directly related to the number of issuances sold by the department and the participating vendors. In calendar year 2001, the most recent year that all receipts are available, the department received \$307,904.00 in service fee charges. Of that total, \$209,147 was allocated to the park fee fund.

All other participating vendors collected \$641,917.50 combined.

The bill would provide the department additional revenue to recover administrative costs associated with issuing licenses, permits, and stamps, including an estimated additional \$200,000 annually to the park fee fund. The bill would also provide an additional financial incentive for county clerks and other vendors to continue to participate in the department's vendor program.

In addition, the bill would allow the department to contract with telephone or Internet based vendors, who could charge an additional transaction fee, to be negotiated by the secretary.

This bill is one of the department's initiatives and is also supported by the Kansas County Clerks and Election Officials Association.

Senate Ways and Means  
2-12-03  
Attachment 5



CLERK'S OFFICE

Rich Vargo  
County Clerk  
110 Courthouse Plaza  
Manhattan, Kansas 66502-0109  
Phone: 785-537-6300  
Fax: 785-537-6394  
E-mail: rvargo@co.riley.ks.us

January 23, 2003

Mike Hayden  
Secretary of Wildlife and Parks  
1020 South Kansas Avenue, Room 200  
Topeka, KS 66612

Honorable Mike Hayden,

The Officers and Chairs of various boards for the Kansas County Clerks and Election Officials Association met on Wednesday, January 17, 2003 and discussed supporting an increase in the fee vendors and county clerks collect on the sale of Wildlife and Parks permits and licenses from \$ .50 to \$1.00.

The Kansas County Clerks and Election Officials Association supports the Kansas Wildlife and Parks Department in proposing legislation increasing the fee for vendors and county clerks to collect on the sale of Wildlife and Parks permits and licenses to \$1.00.

If our association can be of further assistance, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Vargo", written in a cursive style.

Rich Vargo  
Kansas County Clerks and Election Officials Association